

**BOARD OF AGRICULTURE, TRADE AND CONSUMER PROTECTION  
MINUTES**

**December 21, 2017**

The Board of Agriculture, Trade and Consumer Protection (“Board”) met on **December 21, 2017**, at the Department of Agriculture, Trade and Consumer Protection (“Department”), 2811 Agriculture Drive, Board Room, Madison, WI. The meeting was preceded by public notice as required by Wis. Stat. § 19.84.

**Call to Order**

Board Chair Miranda Leis called the meeting to order at 9:05 a.m.

**Members Present**

Miranda Leis, Andy Diercks, Dennis Badtke, Paul Palmby, Greg Zwald, Dean Strauss, Paul Bauer, Kurt Hallstrand.

**Minutes**

**Motion**

Paul Palmby moved, and Andy Diercks seconded, a motion to approve the November 16, 2017 Board minutes. Motion approved.

**Public Appearances**

**David Ward**, representing the Cooperative Network, appeared before the DATCP Board regarding Wis. Admin. ch. ATCP 83. Mr. Ward discussed the changes in the industry, addressing with particularity the requirement that an annual rBST Free affidavit be filed by producers. Mr. Ward advised the DATCP Board that the annual requirement for the rBST Free affidavit causes undue hardship for milk producers. Mr. Ward requested that the DATCP Board consider a modification to the rule.

**John Manske**, representing the Cooperative Network and the Agricultural Producer Security Council, appeared before the DATCP Board to speak about Wis. Admin. chaps. ATCP 99, 100, 101 Emergency Rule and its importance. Mr. Manske serves as the chair of the Agricultural Producer Security Council. Mr. Manske also addressed a request for statutory changes in the Agricultural Producer Security Fund currently being considered in Assembly Bill 698.

**Tom Bressner**, Executive Director of the Wisconsin Agribusiness Association, did not speak in front the DATCP Board. However, Mr. Bressner did issue his support in favor of the ATCP 99, 100, 101 Emergency Rule.

**Kara O'Connor**, representing the Wisconsin Farmer's Union, appeared before the DATCP Board to discuss ACP 51 and the effect of large livestock operations on property located near concentrated animal farming operations.

**Dola Ends**, on behalf of herself and Green County Defending your Family Farmland Group, appeared before the DATCP Board to discuss Wis. Admin. Code ch. ATCP 51 and its effect on small family farms and the state of Wisconsin.

**Bethany Storms**, appeared before the DATCP Board to discuss Wis. Admin. Code ch. ATCP 51 and the impact of concentrated animal farming operations on small family farms.

### **Land and Water Bureau (Report)**

Alison Volk, Environmental Analysis & Review Specialist from the DATCP Land and Water Bureau, as well as Natalie Cotter, Environmental Analysis & Review Specialist of the DATCP Land and Water Bureau, in the Division of Agricultural Resource Management (ARM), provided an update to the DATCP Board on the Farmland Preservation Program and the 2015-2017 Farmland Preservation Program Biennial Report.

### **Industrial Hemp (Report)**

Brian Kuhn, Director of the Bureau of Plant Industry, in DATCP's Division of Agricultural Resource Management (ARM), provided information to the board regarding the recent passage of legislation for the production of industrial hemp in the state of Wisconsin, as well as the Department's role in the process.

### **International Agribusiness Center (Report)**

Jack Heinemann, Director of the International Agribusiness Center, in the DATCP Division of Agriculture Development (DAD), provided an informational report to the DATCP Board on the yearly activities of the bureau and its marketing efforts.

### **Wisconsin Agricultural Statistics Services (Report)**

Greg Bussler, State Statistician, updated the DATCP Board on the recent production and price reports.

**Wis. Admin. Code chs. ATCP 99, 100, 101 (Emergency Rule)**

Jeremy McPherson, Interim Administrator of DATCP's Division of Trade and Consumer Protection (TCP) and the Bureau Director of Trade Practices, presented Wis. Admin. Code chaps. ATCP 99, 100, 101 Emergency Rule Scope Statement to the DATCP Board.

**Motion**

Dennis Badtke moved, and Dean Strauss seconded, a motion to approve the Scope Statement of ATCP 99, 100, 101 Emergency Rule. Motion approved unanimously.

**Open Meeting Law (report)**

Paul Dedinsky, Chief Legal Counsel, in the Division of the Office of the Secretary (OS), provided an update to the DATCP Board on Open Meeting law changes.

**Glendale School (Report)**

Tyler Neuenfelt and Kathleen Keller, from DATCP's Human Resources office, discussed Glendale Elementary School and its partnership with DATCP. Mr. Neuenfelt and Ms. Keller also discussed the DIVERSITY Committee.

**2018 DATCP Board Meeting Dates**

The DATCP Board decided on these dates for the 2018 Board Meetings:

Thursday, January 25, 2018  
Tuesday, February 27, 2018  
Thursday, March 29, 2018  
Thursday, May 24, 2018  
Tuesday, July 24, 2018  
Thursday, September 20, 2018  
Tuesday, November 15, 2018  
Thursday, December 20, 2018

The DATCP Board also discussed potential meeting locations for the 2018 year.

### **DATCP Board Member Reports**

**Board Member Paul Bauer** – Mr. Bauer advised that, on a personal note, two of his children graduated college. As for the business aspects of his industry, Mr. Bauer also discussed dairy sales and the contraction in prices.

**Board Member Dean Strauss** – Mr. Strauss announced that his business recently installed robotic milkers on his farm, citing the innovations of technology and how technology has changed the industry.

**Board Member Greg Zwald** – Mr. Zwald welcomed Secretary Harsdorf and Board Member Paul Bauer to the DATCP Board. Mr. Zwald reported on his recent visit to El Salvador. Mr. Zwald also discussed a fire at the Peterson Farm, which is an 800 cow dairy farm, located in Wisconsin in the vicinity of his residence. Mr. Zwald indicated that this farm family is working on rebuilding its operations and plan to utilize robotic milkers in its new facility.

**Board Member Kurt Hallstrand** – Mr. Hallstrand advised the DATCP Board that both the feeder calf market and the timber industry are doing quite well.

**Board Secretary Paul Palmby** – Seneca is preparing for its busy time. Mr. Palmby advised that vegetable commodities are at approximately the same level as last year. Mr. Palmby mentioned that he is looking forward to spending some time with his family over the holidays.

**Board Member Dennis Badtke** – Mr. Badtke updated the DATCP Board on the merger and indicated that Compeer is now in the “nitty gritty” of the process.

**Board Vice-Chair Andy Diercks** – Mr. Diercks just returned from Hawaii and informed the DATCP Board that the sugar farming industry is leaving the state of Hawaii. On a personal note, Mr. Diercks discussed visiting family in California.

**Board Chair Miranda Leis** – Ms. Leis advised the DATCP Board that the organic dairy industry is experiencing some flattening on the consumer side. However, the organic produce sector continues to grow. As for a personal note, Ms. Leis mentioned that her children currently are actively involved in basketball which keeps her very busy and occupied.

### **DATCP Secretary’s Report**

**Secretary Sheila Harsdorf** – Secretary Harsdorf reported meeting with various agriculture organizations over the past few weeks, including representatives from the Milk Marketing Board, the Wisconsin Agribusiness Association, The Wisconsin Board of Regents, the Wisconsin Farmers Union, and the Wisconsin Ag Coalition. Secretary Harsdorf also highlighted the agriculture census and discussed its importance. Secretary Harsdorf encouraged the DATCP Board members to fill it out and encourage others in the industry to do the same.

Secretary Harsdorf then recognized the contributions of Jim Massey for his years of service in diligent reporting work for Agriculture. Secretary Harsdorf presented a certificate of appreciation to James Massey from Governor Scott Walker.

Secretary Harsdorf discussed other 2017 highlights, including the Grassland issue. Secretary Harsdorf commended former Secretary Brancel for his work on the dairy crisis and also discussed the important work of DATCP's Farm Center staff, particularly their care in assisting farmers during challenging times.

Secretary Harsdorf made special note of the recent Equifax breach and the competent response of DATCP's Consumer Protection Bureau. Secretary Harsdorf also shared with the DATCP Board her observations of the important work of the Division of Animal Health in dealing with the ongoing challenges of monitoring and preventing illnesses in the state. In closing, Secretary Harsdorf noted that the 2018 year is right around the corner, and while there will undoubtedly be hurdles to face in the coming year, Secretary Harsdorf expressed confidence in DATCP's ability to work together to address these challenges.

### **Future Schedule and Agenda Items**

The DATCP Board inquired as to the status of Wis. Admin. Code ch. ATCP 51. Chief Legal Counsel Paul Dedinsky advised that DATCP's prior Deputy Secretary did follow through with meetings with various stakeholders as promised. Secretary Harsdorf indicated that, in the coming months, the agency should be able to provide a status update; however, no specific timeframe has been selected. Board Member Paul Palmby also requested further information on the affidavit requirement for rBST statements, Wis. Admin. Code ch. ATCP 83.

### **Adjournment**

#### **Motion**

The Board adjourned at approximately 1:53 pm

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Miranda Leis, Board Chair

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Paul Palmby, Secretary